



**McCall Environmental, P.A.**

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**Via email and U.S. Mail**

May 20, 2011

Ms. Gina Kirkland  
SCDHEC Bureau of Water  
2600 Bull Street  
Columbia, SC 29201

RE: Notice of Drafting for Change to Freshwater Bacteria for Recreational Uses

Dear Ms. Kirkland:

We appreciate this opportunity to comment on the proposed replacement of fecal coliform with E. Coli as the preferred bacteriological indicator for the protection of recreational uses in fresh water. Please accept these comments on behalf of Greenville County.

Greenville County fully supports this overdue transition into the use of E. Coli as the indicator bacterium for fresh water previously recommended by EPA in the publication entitled "Ambient Water Quality Criteria for Bacteria – 1986". The County recommends that as part of the transition in indicator bacteria, that SCDHEC should take this opportunity to develop more reasonable state criterion for E. Coli used for regulation through storm water permits. Although the historically used criterion is based upon epidemiological studies that may be appropriate for minimizing potential health risks, they are not appropriate for use in the enforcement of MS4 permits due to the uncontrolled nature and type of bacteria sources, most of which are not within the authority of the County MS4 to control.

The referenced study by the EPA specifically stated that the recommended bacteria criteria were for "steady state dry weather conditions", a significant contradiction if used to enforce storm water permitting and/or total maximum daily loads.

EPA approved expressing the bacteria criteria as "non-wildlife E. coli" in its March 2004 "Implementation Guidance for Ambient Water Quality Criteria for Bacteria." The EPA said that, "The relative contribution provided by wildlife can then be applied to the measurement prior to comparison with the protective criteria so that wildlife contributions are discounted." The County agrees with this approach, since it seems reasonable to believe that all watersheds within Greenville County include wildlife sources of bacteria.

The 2004 Guidance stated that the upper percentile values should be used for daily limits for traditional NPDES permitted discharges and geometric mean for monthly limits. EPA also stated that for municipal separate storm sewer system (MS4) discharges, the most appropriate permit requirement may be non-numeric effluent limitations expressed in the form of best management practices (BMPs). The County agrees with this approach.

The County is particularly concerned about the fact that the stakeholder meeting on May 26, 2011 has been scheduled after the end of the public comment period on May 23, 2011. This is particularly troubling due to portions of the Synopsis of the referenced Notice of Drafting indicating that SCDHEC will be clarifying implementation details for the change in indicator bacteria associated with NPDES permits, ambient water quality assessment, and TMDL development at the stakeholder meeting. This could have significant impacts on the County MS4.

Greenville County looks forward to the upcoming stakeholder meeting, but respectfully requests an extension of the comment period of 30 days from the meeting to respond to proposed implementation details. We appreciate your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "E C McCall, Jr.", written in a cursive style.

McCall Environmental, PA  
Eugene C. McCall, Jr.